

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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HASAN MALIK DAVIS.

Plaintiff

v.

STATE OF NEVADA, et. al.,

Defendants.

Case No. 3:22-CV-00388-MMD-CLB

**ORDER DENYING AS MOOT INMATE
APPLICATION TO PROCEED *IN FORMA
PAUPERIS* AND DIRECTING PLAINTIFF
TO FILE APPLICATION TO PROCEED *IN
FORMA PAUPERIS* FOR NON-INMATE
OR PAY FILING FEE**

[ECF No. 5]

I. DISCUSSION

On August 29, 2022, Plaintiff Hasan Malik Davis (“Davis”) filed a “motion to dismiss charge” (ECF No. 1-1). Davis did not, however, submit a complaint, or file an application to proceed *in forma pauperis* or alternatively pay the full \$402 filing fee. Thus, on August 31, 2022, the Court ordered Davis to file a complaint and fully completed application to proceed *in forma pauperis*, or in the alternative, pay the full \$402 filing fee for this action. (ECF No. 3.)

Davis timely complied with the order by filing an application to proceed *in forma pauperis* and a complaint. (ECF Nos. 5, 6, respectively.) On October 6, 2022, Davis filed a notice of change of address indicating he is no longer incarcerated at the Washoe County Detention Facility. (ECF No. 7.)

The Court denies the application to proceed *in forma pauperis* for inmates (ECF No. 5) as moot because Davis is no longer incarcerated. The Court now directs Davis to file an application to proceed *in forma pauperis* by a non-inmate within 30 days from the date of this order or pay the full filing fee of \$402 (which includes the \$350 filing fee and \$52 administrative fee). If Davis does not timely comply with this order, the Court will recommend that this case be dismissed.

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III

1 **II. CONCLUSION**

2 Accordingly, **IT IS ORDERED** that Davis's application to proceed *in forma pauperis*
3 for inmates, (ECF No. 5), is denied as moot.

4 **IT IS FURTHER ORDERED** that the Clerk of the Court will **SEND** Davis the
5 approved form application to proceed *in forma pauperis* by a non-inmate, as well as the
6 document entitled information and instructions for filing an *in forma pauperis* application.

7 **IT IS FURTHER ORDERED** that Davis will have until **Monday, November 14,**
8 **2022**, to either submit a fully complete application to proceed *in forma pauperis* for non-
9 inmates or pay the full \$402 filing fee for a civil action (which includes the \$350 filing fee
10 and \$52 administrative fee).

11 **IT IS FURTHER ORDERED** that if Davis does not timely comply with all aspects
12 of this order, dismissal of this action will result.

13 **IT IS SO ORDERED.**

14 **DATED:** October 14, 2022.


UNITED STATES MAGISTRATE JUDGE

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